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Attorneys for Plaintiff United States of America

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

STARLINE TOURS OF
HOLLYWOOD, INC., a business
entity,

Defendant.

CV 12-06120 GAF (EX)

COMPLAINT PURSUANT TO
THE AMERICANS WITH
DISABILITIES ACT, 42 U.S.C. §§
12181 *et seq.*

12 JUL 16 PM 1:34
CLERK OF DISTRICT COURT
UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
LOS ANGELES

FILED

1 THE UNITED STATES OF AMERICA by its undersigned attorneys,
2 hereby files this Complaint and alleges upon information and belief:

3 **JURISDICTION, STANDING, AND VENUE**

4 1. This action is brought by the United States pursuant to Title III
5 of the Americans with Disabilities Act of 1990 ("ADA"), 42 U.S.C. §§ 12181 *et*
6 *seq.*, against Starline Tours of Hollywood, Inc. ("Starline").

7 2. This Court has jurisdiction over this action pursuant to 42
8 U.S.C. § 12188(b)(1)(B) and 28 U.S.C. §§ 1331 and 1345.

9 3. The United States is authorized to initiate this action pursuant
10 to 42 U.S.C. § 12188(b).

11 4. Venue in the United States District Court for the Central
12 District of California is proper pursuant to 28 U.S.C. § 1391(b).

13 **DEFENDANT**

14 5. Defendant Starline is a privately owned and operated company
15 located in Los Angeles, California. Starline provides tours and operates tour buses
16 and charter shuttles to major attractions in Hollywood and the greater Los Angeles
17 area. Starline offers more than thirty different tours and serves approximately one
18 million passengers a year.

19 6. Upon information and belief, Starline is a public
20 accommodation that owns, leases, leases to, or operates a terminal, depot, or other
21 station used for specified public transportation within the meaning of 42 U.S.C. §§
22 12181(7)(G) and 12181(10), and Title III's implementing regulations, 28 C.F.R. §
23 36.104 and 49 C.F.R. § 37.3. Upon information and belief, Starline is also a public
24 accommodation that owns, leases, leases to, or operates a rental or sales
25 establishment within the meaning of 42 U.S.C. § 12181(7)(E), and Title III's
26 implementing regulation, 28 C.F.R. § 36.104.
27
28

1 7. Starline, with respect to some of its operations, is a private
2 entity primarily engaged in the business of transporting people, whose operations
3 affect commerce and which provides specified public transportation services, 42
4 U.S.C. § 12184; 49 C.F.R. § 37.103. Starline, with respect to other of its
5 operations, is a private entity that provides specified public transportation services
6 and is not primarily engaged in the business of transporting people. 42 U.S.C. §
7 12182(b)(2)(B), (C), (D); 49 C.F.R. § 37.101.

8 8. Starline operates a fixed route system or systems within the
9 meaning of 42 U.S.C. §§ 12181(4) and 49 C.F.R. § 37.3. In particular, Starline
10 offers "Hop-on, Hop-off" sightseeing tours that feature double-decker tour buses
11 with both live and recorded narration identifying landmarks and other points of
12 interest. The "Hop-on, Hop-off" sightseeing tours include more than fifty stops in
13 four separate but interconnected loops including, inter alia, Hollywood, Beverly
14 Hills, Santa Monica, Universal City, and downtown Los Angeles. Starline
15 operates approximately thirty-eight "Hop-on, Hop-off" daily tours. On
16 information and belief, a significant percentage of Starline's "Hop-on, Hop-off
17 tour" vehicles are not accessible to individuals who use wheelchairs.

18 9. Starline also operates a demand-responsive system or systems
19 within the meaning of 42 U.S.C. §§ 12181(3) and 49 C.F.R. 37.3, in that Starline
20 offers tours and transportation services that do not have a fixed route, fixed times,
21 or fixed stops, or fixed durations.

22 10. Starline has failed to provide tour buses or other tour vehicles
23 which are accessible to and usable by people with disabilities who use wheelchairs
24 within the meaning of Title III and its implementing regulations, 49 C.F.R. pt 37
25 and 49 C.F.R. pt. 38, thereby excluding such persons from Starline's services.
26 Starline has also failed to provide demand responsive service to individuals with
27 disabilities that is equivalent to that provided to individuals without disabilities. 42
28

1 U.S.C. § 12182(b)(1)(C); 49 C.F.R. § 37.101(d). Starline therefore violated the
2 ADA by failing to afford people with disabilities who use wheelchairs, on the basis
3 of their disability, the opportunity to participate in or benefit from the goods,
4 services, facilities, privileges, advantages, or accommodations afforded to other
5 individuals. Further, Starline failed to provide appropriate training to its
6 employees regarding its legal obligations under relevant federal statutes and
7 regulations, in violation of the ADA. 49 C.F.R. § 37.173. Upon information and
8 belief, Starline's violations of the ADA are continuing.

9 **FACTUAL ALLEGATIONS**

10
11 11. Amy L. Champlin has Friedreich's Ataxia, an inherited disease
12 affecting the muscles and heart that causes nervous system damage and movement
13 problems. Friedreich's Ataxia typically begins in childhood and leads to impaired
14 muscle coordination that gradually worsens over time. Ms. Champlin's condition
15 has necessitated her use of an electric wheelchair for mobility. Ms. Champlin is
16 substantially limited in the major life activity of walking and the major bodily
17 function of the nervous system, and is an individual with a disability within the
18 meaning of the ADA, 42 U.S.C. §§ 12102(1), (2); 28 C.F.R. § 36.104.

19 12. In or about July 2010, Ms. Champlin telephoned Starline and
20 requested information about scheduling a tour during her upcoming visit to Los
21 Angeles to attend the Annual Membership Meeting of the National Ataxia
22 Foundation in March 2011. Starline personnel informed Ms. Champlin that
23 individuals who use wheelchairs could only take a tour if they were able to walk
24 onto the bus and then collapse their wheelchairs.

25 13. On August 14, 2010, Ms. Champlin sent Starline a letter in
26 which she reiterated her request for accessible tours for herself and others
27 attending the Annual Membership Meeting of the National Ataxia Foundation and
28

1 referred Starline to requirements of the ADA. Ms. Champlin did not receive any
2 response to her letter.

3 14. In early January 2011, another member of the National Ataxia
4 Foundation planning to attend the Annual Membership Meeting in Los Angeles
5 contacted Starline about wheelchair accessible tours and was informed that Starline
6 had just acquired a new accessible vehicle. Several members therefore renewed
7 their efforts to book accessible tours during their visit to Los Angeles in March
8 2011.

9 15. On January 13, 2011, Ms. Champlin sent an email to Starline in
10 which she requested information on Starline's policies about persons using
11 wheelchairs. In response, Ms. Champlin received an email from Starline stating
12 that Starline had accessible vehicles available for all of its tours, conditioned on
13 advance notice of five or twenty-four hours, depending upon the tour.

14 16. On January 13, 2011, Ms. Champlin sent another email to
15 Starline in which she stated that she would be giving more than two months notice
16 and asked for more specific information about the vehicles, such as the number of
17 tie-down spots for wheelchairs and the ability to accommodate additional
18 passengers who could transfer from their wheelchairs to vehicle seats. In response,
19 Ms. Champlin received an email from Starline stating that only three of Starline's
20 tours (Tour #1, Tour #2, and Tour #25) were accessible to persons using a
21 wheelchair and that Starline had a total of three accessible vehicles, each of which
22 could tie down two wheelchairs and could accommodate additional passengers
23 able to transfer to a seat and collapse their wheelchairs. Eventually, Ms. Champlin
24 and several other members of the National Ataxia Foundation were able to book a
25 Starline Tour for March 17, 2011, and purchased reservations that specified that an
26 accessible vehicle would be provided.
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1 17. On the evening of March 16, 2011, Ms. Champlin and other
2 members of the National Ataxia Foundation confirmed with Starline their
3 reservation of a wheelchair accessible, lift-equipped vehicle for the tour purchased
4 for the next day, March 17, 2011, which was to pick them up at their hotel at 7:30
5 a.m.

6 18. On the morning of March 17, 2011, Starline sent a vehicle that
7 was not wheelchair accessible to pick up Ms. Champlin and her companions at
8 their hotel. The Starline driver then suggested to Ms. Champlin and the other
9 individuals using wheelchairs that they walk onto the bus and stow their
10 wheelchairs.

11 19. One of Ms. Champlin's companions contacted Starline, which
12 stated that a different vehicle, which was wheelchair accessible, would be sent to
13 pick them up for the tour.

14 20. The replacement vehicle did not arrive until 11:30 a.m., four
15 hours after the scheduled start of the tour purchased by Ms. Champlin and her
16 companions. After the group engaged in a thirty minute process to board the
17 vehicle, tie-down two wheelchairs, and stow an additional wheelchair, the vehicle
18 would not start. The driver informed the passengers that the particular vehicle was
19 very rarely used and that it had been experiencing difficulties before he picked up
20 the passengers. The driver also informed the passengers that he had been
21 instructed to keep them on the vehicle until another replacement vehicle was sent.

22 21. Ms. Champlin and her companions waited in the non-
23 functioning vehicle for an additional two hours, in considerable discomfort, but
24 another replacement vehicle did not arrive. Eventually, they disembarked from the
25 vehicle and relinquished their plan to take a tour while visiting Los Angeles.

26 22. The United States is informed and believes that Starline owns
27 or leases approximately ninety vehicles, the solicitations for purchase or lease of
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1 which were after August 25, 1990, five of which are readily accessible to or usable
2 by individuals with disabilities, including individuals who use wheelchairs in that,
3 inter alia, they are equipped with a level-change mechanism or boarding device.
4 However, on information and belief, three of the five accessible vehicles are more
5 than ten years old and not all of the vehicles are currently, or consistently, in
6 operable condition.

7
8 23. The United States is informed and believes that Starline has
9 instituted a policy of providing accessible vehicles for its demand responsive tours
10 upon forty-eight hours advance notice. Starline does not require forty-eight hours
11 advance notice for non-accessible vehicles. Notwithstanding its forty-eight hours
12 notice policy, Starline has, in repeated instances, informed members of the public
13 that accessible vehicles were not available or were available only under extremely
14 limited circumstances, even where reservations were made far in advance.
15 Likewise, the United States is informed and believes that Starline repeatedly has
16 failed to provide an accessible vehicle for its demand responsive tours despite
17 notice in accordance with its policy.

18 24. Starline's actions constitute a pattern or practice of
19 discrimination or raise an issue of general public importance within the meaning of
20 42 U.S.C. § 12188(b)(1)(B) and 28 C.F.R. § 36.503.

21 25. Upon information and belief, Starline's actions caused harm to
22 Amy Champlin and her companions, including but not limited to emotional
23 distress, and continue to cause harm to other similarly situated individuals with
24 disabilities.

25 **Violations of Title III of the ADA**

26 26. The United States incorporates by reference paragraphs 1
27 through 25.
28

1 27. Starline is in violation of Title III of the ADA, 42 U.S.C. §§
2 12181-12189, by discriminating against individuals with disabilities, on the basis
3 of disability, in the full and equal enjoyment of Starline's goods, services,
4 facilities, privileges, advantages, or accommodations. 42 U.S.C. § 12182(a); 28
5 C.F.R. § 36.201(a).

6 28. Starline's violations of Title III include but are not limited to
7 the following:

8 a. denying individuals who use wheelchairs the opportunity to
9 participate in or benefit from Starline's goods, services, facilities, privileges,
10 advantages, or accommodations, 42 U.S.C. § 12182(b)(1)(A)(i); 28 C.F.R. §
11 36.202(a);

12 b. affording to individuals who use wheelchairs a good, service,
13 facility, privilege, advantage, or accommodation that is not equal to that afforded
14 to other individuals, 42 U.S.C. § 12182(b)(1)(A)(ii); 28 C.F.R. § 36.202(b);

15 c. failing to provide Starline's goods, services, facilities,
16 privileges, advantages, and accommodations in the most integrated setting
17 appropriate to the needs of individuals who use wheelchairs, 42 U.S.C. §
18 12182(b)(1)(B); 28 C.F.R. § 36.203;

19 d. imposing or applying eligibility criteria that screen out or tend
20 to screen out individuals who use wheelchairs from fully and equally enjoying the
21 goods, services, facilities, privileges, advantages, or accommodations where such
22 criteria are not necessary for the provision of Starline's goods, services, facilities,
23 privileges, advantages, or accommodations, 42 U.S.C. § 12182(b)(2)(A)(i); 28
24 C.F.R. § 36.301;

25 e. purchasing or leasing a vehicle or vehicles with a seating
26 capacity in excess of 16 passengers for use on Starline's fixed route tours that are
27
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1 not readily accessible to and usable by individuals who use wheelchairs, 42 U.S.C.
2 § 12182(b)(2)(B)(i); 49 C.F.R. §§ 37.7, 37.101; 49 C.F.R. pt 38;

3 f. purchasing or leasing a vehicle or vehicles with a seating
4 capacity of 16 passengers or less for use on Starline's fixed route tours that are not
5 readily accessible to and usable by individuals who use wheelchairs, and failing to
6 operate its fixed route tours so as to ensure a level of service to individuals with
7 disabilities equivalent to that provided to individuals without disabilities, 42 U.S.C.
8 § 12182(b)(2)(B)(ii); 49 C.F.R. §§ 37.7, 37.101, 37.105; 49 C.F.R. pt 38;

9 g. purchasing or leasing a vehicle or vehicles with a seating
10 capacity in excess of 16 passengers for use on Starline's demand responsive
11 system that are not readily accessible to and usable by individuals with disabilities
12 and operating such system so that, when viewed in its entirety, such system does
13 not ensure a level of service to individuals who use wheelchairs equivalent to the
14 level of service provided to individuals without disabilities, 42 U.S.C. §§
15 12182(B)(2)(C)(i), (ii); 49 C.F.R. §§ 37.7, 37.101, 37.105; 49 C.F.R. pt 38; and
16

17 h. discriminating against individuals who use wheelchairs in the
18 full and equal enjoyment of specified public transportation with respect to those
19 aspects of Starline's business that primarily involve transporting people, 42 U.S.C.
20 § 12184; 49 C.F.R. pts 37 and 38.

21 //

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23 //

PRAYER FOR RELIEF

WHEREFORE, the United States prays for relief as follows:

A. Declare that the discriminatory practices of Defendant, as set forth above, violate Title III of the Americans with Disabilities Act, 42 U.S.C. §§ 12181-89, and the U.S. Department of Justice's implementing regulations, 28 C.F.R. pt. 36, and the U.S. Department of Transportation's implementing regulations, 28 C.F.R. pts. 37 and 38;

B. Enjoin Defendant, its officers, agents, and employees, and all other persons in active concert or participation with the defendant from discriminating on the basis of disability against any individual seeking transportation services;

C. Order Defendant to bring its fixed route and demand responsive tours, and its operations that are primarily engaged in the business of transporting people, into compliance with Title III of the ADA, including applicable implementing regulations by the U.S. Department of Justice and the U.S. Department of Transportation;

D. Order Defendant to develop and implement a plan to train its employees to properly assist and treat individuals with disabilities in a respectful and courteous way;

E. Award monetary damages to Amy Champlin and other similarly situated persons who have been discriminated against by Defendant to compensate them for injuries resulting from such discrimination;

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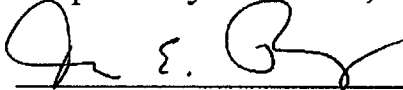
1 F. Assess a civil penalty in an amount authorized by 42 U.S.C. §
2 12188(b)(2)(C) against the defendant to vindicate the public interest; and

3 G. Order such other appropriate relief as the interests of justice may
4 require.
5

6 **A JURY TRIAL IS DEMANDED.**
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9

10 Dated: *July 12, 2012*
11

Respectfully submitted,
12


13

14 THOMAS E. PEREZ
Assistant Attorney General
Civil Rights Division
15

16 ANDRÉ BIROTTE JR.
United States Attorney

17 LEON W. WEIDMAN
Assistant United States Attorney

18 Chief, Civil Division
19

20 
ROBYN-MARIE LYON MONTELEONE

21 Assistant United States Attorney
22 Assistant Division Chief
23 Civil Rights Unit Chief, Civil Division
24

25 Attorneys for Plaintiff
United States of America
26
27
28

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Gary A. Feess and the assigned discovery Magistrate Judge is Charles Eick.

The case number on all documents filed with the Court should read as follows:

CV12- 6120 GAF (Ex)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☒ **Western Division**
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

☐ **Southern Division**
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

☐ **Eastern Division**
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

COPY

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) UNITED STATES OF AMERICA	DEFENDANTS STARLINE TOURS OF HOLLYWOOD, INC., a business entity,
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Thomas E. Perez, Assist. Atty General, CV Rights Div See Attachment 1	Attorneys (If Known) Mohammed K. Ghods, Ghods Law Firm, 2100 North Broadway Suite 300 Santa Ana, CA 92706. Telephone: 714-245-2480

II. BASIS OF JURISDICTION (Place an X in one box only.) <input checked="" type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:30%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> <td style="width:40%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> </tr> <tr> <td>Citizen of This State</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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IV. ORIGIN (Place an X in one box only.)

☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from another district (specify): _____
 ☐ 6 Multi-District Litigation
 ☐ 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☐ Yes ☒ No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT:** \$ _____

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

Pursuant to the Americans with Disabilities Act, 42 U.S.C. Sections 12181 et seq.

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	TORTS PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input checked="" type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE/PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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CV12-06120

FOR OFFICE USE ONLY: Case Number: _____

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes
If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☐ No ☒ Yes
If yes, list case number(s): CV 11-02620-JFW (CWx)

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
☒ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

- (a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.
☒ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country:
Los Angeles	

- (b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.
☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country:
Los Angeles	

- (c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.
Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country:
Los Angeles	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER): _____ Date 7/16/12

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))

ATTACHMENT 1

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